

HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

Joseph G. Went, Esq.
Nevada Bar No. 9220
Sydney R. Gambee, Esq.
Nevada Bar No. 14201
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: (702) 669-4619
Fax: (702) 475-4199
JGWent@hollandhart.com
SRGambee@hollandhart.com

*Attorneys for Plaintiffs
Origin Consulting, LLC and Origin Holdings, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORIGIN CONSULTING, LLC, a Nevada
limited liability company; and ORIGIN
HOLDINGS, INC., a Nevada corporation,

Plaintiffs,

v.

CRITICALRIVER, INC., a Delaware
corporation; DOES I through X; and ROES I
through X,

Defendants.

Case No. 2:19-cv-1997-KJD-EJY

**STIPULATION TO EXTEND
DISCOVERY DEADLINES**

FIRST REQUEST

Pursuant to Local Rule 26-3, Plaintiffs Origin Consulting, LLC, a Nevada limited liability company (“Origin Consulting”), and Origin Holdings, Inc., a Nevada corporation (“Origin Holdings”) (together, “Plaintiffs” or “Origin”), and Defendant CriticalRiver, Inc. (“CriticalRiver”), submit the following Stipulation to Extend Discovery Deadlines by ninety (90) days. In support of this stipulation, the parties submit the following:

A. History and Discovery Completed to Date:

Plaintiffs filed their Complaint on November 15, 2019 (ECF No. 1), with their First Amended Complaint filed January 29, 2020 (ECF No. 9). On February 21, 2017, CriticalRiver filed its Motion to Dismiss Plaintiffs’ First Amended Complaint (ECF No. 18). On March 6, 2020, Plaintiffs filed their Response to the Motion to Dismiss (ECF No. 22). On March 13,

2020, CriticalRiver filed its Reply in support of the Motion to Dismiss (ECF No. 23). The Motion to Dismiss is pending a ruling.

On April 21, 2020, the parties submitted their first Proposed Discovery Plan (ECF No. 25), which was denied (ECF No. 26). On May 1, 2020, the parties submitted their second Proposed Discovery Plan (ECF No. 27), which resulted in the following relevant discovery deadlines:

Discovery Cut Off: October 5, 2020

Expert Disclosures: August 6, 2020

Rebuttal Expert Disclosures: September 8, 2020

Dispositive Motions: November 4, 2020

Joint Pretrial Order: December 4, 2020, or if a dispositive motion is filed, 30 days after a decision on the disposition motions or further order of the Court.

The parties exchanged their initial disclosures on May 19, 2020.

B. Description of Discovery to Be Completed.

The parties anticipate propounding written discovery on each other. The parties further anticipate deposing key fact witnesses in this case, including without limitation the persons most knowledgeable for Plaintiffs and CriticalRiver and other non-parties. The parties further continue to assess whether and which expert witnesses may be necessary in this matter.

C. Good Cause Exists for the Requested Extension.

The parties have not completed expert discovery in this matter due to logistical issues related to the ongoing COVID-19 pandemic, including shifting statewide closure orders and stay at home policies. Additionally, the parties have been engaged and continue to engage in settlement negotiations. The parties therefore request an extension of the expert witness deadline of ninety (90) days, along with a corresponding extension of the remaining deadlines (rebuttal expert deadline, discovery cut off, dispositive motions, and pretrial order) also of approximately ninety (90) days.

D. Proposed Discovery Schedule.

The parties propose the following discovery schedule for the remaining deadlines:

Discovery Cut Off: January 4, 2021

Expert Disclosures: November 4, 2021

Rebuttal Expert Disclosures: December 4, 2021

Dispositive Motions: February 3, 2021

Joint Pretrial Order: March 5, 2021, or if a dispositive motion is filed, 30 days after a decision on the disposition motions or further order of the Court.

IT IS SO STIPULATED.

DATED this 6th day of August, 2020.

DATED this 6th day of August, 2020.

/s/ Sydney R. Gambee

Joseph G. Went, Esq.
Nevada Bar No. 9220
Sydney R. Gambee, Esq.
Nevada Bar No. 14201
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

*Attorneys for Plaintiffs Origin Consulting,
LLC and Origin Holdings, Inc.*

/s/ Connor M. Day

Marcus B. Smith, Esq.
Nevada Bar No. 12098
LITTLER MENDELSON, P.C.
3960 Howard Hughes Pkwy, Ste. 300
Las Vegas, NV 89169

Connor M. Day
California Bar No. 233245
Admitted Pro Hac Vice
FERBER LAW, P.C.
2603 Camino Ramon, Ste. 385
San Ramon, CA 94583

Attorneys for Defendant CriticalRiver, Inc.

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

Dated: August 7, 2020

HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134